

CITY COUNCIL, CITY OF LODI
COUNCIL CHAMBER, CITY HALL
NOVEMBER 17, 1954

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, November 17, 1954; Councilmen Hughes, Mitchell, Richey, Robinson and Fuller (Mayor) present; none absent. City Manager Weller and City Attorney Mullen also present.

COMMUNICATIONS

S.D.A. LETTER	Letter from the Northern California Conference of Seventh Day Adventists, dated November 1, 1954, thanking the Chief of Police and the Police Department for the help received in connection with the Pathfinder parade held in Lodi on October 24.
HIGH TWELVE CLUB LETTER	Letter from the California Association of High Twelve Clubs, dated November 10, 1954, expressing heartfelt thanks to the City Officials of the City of Lodi for having helped make the 1954 Convention in the City of Lodi a success. Appreciation was particularly expressed for the help of the Chief of Police and the Police Department.
S-D DAY	Letter from Governor Knight calling attention to the fact that December 15, 1954 has been designated "Safe Driving Day" by President Eisenhower, and asking that a local director for the campaign be appointed to serve the City of Lodi. Mr. Weller reported that Mayor Fuller had appointed Mr. Don E. Berry as the local S-D Day director and had so notified Governor Knight. The City Council acknowledged receipt of the letter and authorized Mayor Fuller to cooperate as necessary.
SACRAMENTO CHAMBER OF COMMERCE	Letter from the Sacramento Chamber of Commerce inviting the City Council to be guests of the Sacramento Chamber at a dinner to be given at the Hotel Lodi on November 23, 1954.
NORUM APPOINTED TO CODE COMMITTEE	Letter from the Pacific Coast Building Officials Conference, dated November 10, 1954, informing the City Manager that Mr. Wallace Norum, City Building Official, had been appointed a member of the Code Changes Committee at the Executive Board meeting held on October 8, 1954. The Council's support of Mr. Norum's attendance at the meeting of the Code Changes Committee was requested. The Council acknowledged receipt of the letter and the honor accrued to the City by Mr. Norum's selection.

PUBLIC HEARING

STADIUM SEAT CONTRACT	Mr. Jack Hoggatt, Secretary-Manager of the Lodi District Chamber of Commerce, was recognized by the Mayor and granted permission to read a letter to the City Council from Mr. Ben W. Schaffer, President of the Chamber of Commerce. The letter set out the circumstances under which the Chamber and the City of Lodi negotiated a contract on June 2, 1949, for the construction of additional seats in the Lodi Stadium by the Chamber of Commerce and the terms for repayment by the City out of revenues from inter-collegiate football games. The letter also explained the various circumstances which have arisen to reduce the revenue from the inter-collegiate football games and thus slow the repayment of the costs of the seat construction.
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Mr. Schaffer stated that at the present time the Chamber is indebted in the sum of \$17,550.00 with no source of funds through the City contract and no prospect of any in the future. In his letter Mr. Schaffer proposed that the existing contract be declared null and void and a new contract be drawn that would provide the following:

1. A contract period beginning July 1, 1954 and ending June 30, 1959. This agreement would be subject to review in event of local or national emergency as determined by the City Council.
2. The City will pay to the Chamber all head tax receipts from the stadium during that time.
3. This money shall be paid to the Chamber in convenient installments to be used by them solely to retire the principal on outstanding notes.
4. The Chamber will appropriate from its general fund during this time the sum of \$700 annually which will be applied against their indebtedness.
5. The Chamber will exert every effort to promote additional usages of the Stadium. Full-est assistance will be given already scheduled events to increase attendance and the advertising and publicity power of the Chamber will be thrown behind events that are or can be staged in the Stadium.

Councilman Robinson asked if the Council is to understand that at the end of five years the City will not have any further obligation for the payment of the cost of the seats. Mr. Hoggatt replied that he was sure that that was the intent of the Chamber of Commerce. Councilman Robinson then moved, Mitchell second, that the matter be referred to the City Manager and City Attorney for the drafting of a new contract in line with the proposal of the Chamber of Commerce. The motion carried unanimously.

I.B.E.W.
REQUEST WAGE
INCREASE

Mr. Harry M. Brown addressed the City Council to say that he represented the City employees belonging to Local 1245 of the International Brotherhood of Electrical Workers. He stated that the Union had submitted a proposal for wage increase, increased vacations, safety program, health insurance paid by the City, etc. He stated that he had not heard from the City Manager and was now asking that the City Council give these matters its consideration. Mr. Weller stated that he had informed the Union's representative, Mr. Hansen, that he could not justify a request to the City Council for a wage increase at this time. He also stated that he had informed the City Council of his decision to make no recommendation at this time. On the motion of Councilman Richey, Robinson second, the Council voted unanimously to accept the City Manager's recommendation.

VACATION OF
12-FOOT STRIP
DROPPED

Mr. Robert H. Rinn addressed the City Council to state that he represented a party affected by the proposed abandonment of the roadway extending from Louie Avenue to Turner Road. He pointed out that said proposed abandonment would serve no useful purpose, as stated in the petition submitted to the

City Council, inasmuch as the 12-foot strip would be maintained as a private access road until such time as the private parties abandon their interest. City Attorney Mullen agreed that the abandonment of the road strip as a public street would not effect the physical closing of the street as long as the private parties maintain their interest. Councilman Robinson then moved that the Ordinance of Intention, Ordinance No. 518, not be adopted, and that the number 518 be released for assignment to a future ordinance. The motion passed unanimously.

FINAL MAP
OF "CORDA
TRACT"
APPROVED

As a part of the above discussion, the Council examined the final map of the Corda Tract. City Attorney Mullen suggested that the map should be amended to show a reference to the deed or deeds which created the 12-foot roadway strip along the west side of Tract 5 of the Burr's Addition. On the motion of Councilman Hughes, Mitchell second, the Council voted to authorize the Mayor to sign said final map subject to the approval of the City Attorney.

REPORTS OF THE CITY MANAGER

DRIVEWAY
LOTS 4 & 5,
BLK 1, LODI
BARNHART TRACT

The City Manager stated that he had received a request from Mr. John Habeck, 303 Cypress Street, for permission to construct a forty-foot driveway entrance for Lots 4 and 5, Block 1, of the Lodi Barnhart Tract. Mr. Habeck plans the construction of a soft drink stand on the property and wished the driveway as an entrance to the off-street parking lot. On the motion of Councilman Robinson, Richey second, the Council granted the request.

CITY MANAGER
AUTHORIZED TO
ADJUST UTILITY
BILLS

Mr. Weller then explained that it becomes necessary from time to time to discount, write off, or otherwise adjust utility bills. He asked that the City Council authorize the Administration to make such adjustments when found to be necessary. On the motion of Councilman Hughes, Richey second, the City Council voted to delegate the authority to adjust utility bills to the City Manager.

FUGAZI
EASEMENT
APPROVED

The City Manager reported that a storm sewer is needed on the extension of Sunset Drive between Locust Street and Lockeford Street in order to drain newly subdivided land north of Lockeford Street. This will require crossing private property which is potential subdivision land. However, the owners of the property feel that they should not be asked to grant an easement without some consideration. They propose that they grant the easement to the City free of cost to the City, but that the City should agree to relocate the line at the City's expense in the event future subdivision of land requires such relocation. The Council voted to approve the arrangement as proposed on the motion of Councilman Mitchell, Robinson second.

APPROVE LEASE
OF EMPLOYMENT
OFFICE

The City Manager reported that the State Department of Employment had indicated its willingness to extend its present lease of the City-owned building at 125 North Stockton Street. The Department of Employment proposes a lease for five years under the same terms and conditions as the present one-year lease. On the motion of Councilman Richey, Hughes second, the Council voted to adopt Resolution No. 1844, authorizing the Mayor to execute the lease on behalf of the City of Lodi.

RES. #1844
ADOPTED

REJECT
BIDS FOR
COMPRESSOR

Mr. Weller reported that one bid had been received for the 75 c.f.m. compressor from the Edward R. Bacon Company in the amount of \$2,054.85. Mr. Weller stated that he had since received information that the City Could buy a slightly used compressor in a larger unit for approximately \$2,500. This price was reported to include additional accessories, too. He therefore recommended that the bid by Edward R. Bacon Company be rejected and he be authorized to purchase on the open market. He pointed out that the City purchases a great deal of equipment from the Edward R. Bacon Company and he believed it would hold the bid offer open. On the motion of Councilman Robinson, Richey second, the Council voted to approve the City Manager's recommendation.

AWARD
BUSINESS
COUPERES. #1845
ADOPTED

The City Manager reported that bids had been received for the business coupe for the Engineering Department from Loewen Auto Company and Krieger Motor Company. Loewen Auto Company was low with a net bid of \$880.11. He therefore recommended the award be made to the Loewen Auto Company. Resolution No. 1845, awarding the contract for the business coupe to the Loewen Auto Company, was adopted on the motion of Councilman Hughes, Richey second.

AWARD
STATION WAGONRES. #1846
ADOPTED

Mr. Weller then reported that bids for the station wagon for the Recreation Department had also been received from the Loewen Auto Company and Krieger Motor Company. Loewen Auto Company submitted the low bid with a net bid of \$1,491.79. He therefore recommended the award be made to Loewen Auto Company. On the motion of Councilman Richey, Mitchell second, the Council adopted Resolution No. 1846, awarding the contract for the station wagon to Loewen Auto Company.

CLAIMS

Claims in the amount of \$45,943.21 were approved on the motion of Councilman Richey, Mitchell second.

RECREATION COMMISSION

TERMS EXPIRE

Mr. Weller reminded the Council that the terms of Commissioners Brown, Patton and Conklin would expire on December 31, 1954.

NAVY
QUONSET
BUILDING

Mr. Weller read that portion of the minutes of the Recreation Commission meeting of November 15, 1954 pertaining to the use of the Naval Reserve Quonset building. A motion adopted at the above meeting requested that the Naval Reserve building be made available to the Recreation and Parks Department for a Senior Activities Center, to be used also for a service and information center for migratory labor. The Recreation Commission felt it was too large and elaborate a building for use as a dog pound. Mr. Weller stated that no decision had been made to use the building for a dog pound. He explained that plans were being drawn to determine the feasibility of utilizing a portion of the building for a dog pound. He pointed out that he had also had a request from the Engineering Department for use of the building for storage purposes and from the Recreation Department for the same purpose. Mr. Van Buskirk, Chairman of the Recreation Commission, offered arguments in favor of using the building for a center for migratory workers and senior citizens.

Mr. Weller raised the question as to whether this is the type of service the City should initiate, since it is definitely an extension of the services presently offered by the City. On the motion of Councilman Hughes, Mitchell second, the Council voted to lay the question over for further discussion and to request that estimates for the construction of a completely new pound be prepared for the future discussion of the Council.

S.P.CO.
TELEPHONE

Councilman Hughes suggested that the City Manager write a letter to Mr. Underhill of the Southern Pacific Company in Stockton, expressing the Council's appreciation of the improved traffic condition as the result of the Southern Pacific's installation of a telephone at the corner of California Street and the Southern Pacific right of way.

LIABILITY
REPORT
RE JAIL

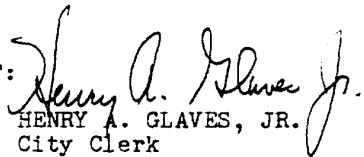
City Attorney Mullen reported that he had investigated the City's liability for the condition and operation of the jail and had submitted a written opinion to the Council. He stated that the City's liability extends to the provisions of the Public Liability Act of 1923, which provides in effect that the City is liable for damages or injuries due to a dangerous or defective condition of which the Council has knowledge.

PARKING LOT

The Council then discussed the proposal of Councilman Mitchell that the lot east of the City Hall be improved as a parking lot. No action was taken.

The meeting was adjourned at 9:45 p.m. on the order of the Mayor.

ATTEST:


HENRY A. GLAVES, JR.
City Clerk